

MINUTES OF THE SOUTH OGDEN CITY TOWN HALL MEETING

THURSDAY, APRIL 21, 2016 — 6:00 P.M. CHOIR ROOM, SOUTH JUNIOR HIGH SCHOOL 650 E 5700 S, SOUTH OGDEN UT 84403

COUNCIL MEMBERS PRESENT

Council Members Brent Strate, Sallee Orr, Bryan Benard, Russ Porter, and Adam Hensley

COUNCIL MEMBERS EXCUSED

Mayor James F. Minster

STAFF MEMBERS PRESENT

City Manager Matt Dixon, Police Chief Darin Parke, Fire Chief Cameron West, Assistant to the City Manager Doug Gailey, and Recorder Leesa Kapetanov

CITIZENS PRESENT

Betty Johansen, Marjorie Moffett, Marchia Ross, Josh Payne, Amber Payne, Robert & Lynda Hoggan, Marilyn DeHart, Barbara Kim, Cristen Ottley, Kirk Ottley, Randy Christiansen, Kathy Christiansen, Anneli Byrd, Walt Bausman, Paula Bosgieter, Doug & Diane Woolsey, Brenda Empie, Mike Adams, Doris Rounds, Ken Crockett, Cindy rounds, Rebecca Gurnee, Chris Gurnee, Stacy Richards, Michael Hunsaker, and others

I. OPENING CEREMONY

A. Call To Order

Mayor Pro Tem Russell Porter began the meeting at 6:03 pm by welcoming all those present. He introduced city staff present and then invited Council Member Strate to lead everyone in the Pledge of Allegiance.

Following the Pledge, the mayor pro tem explained the Council was providing the Town Hall Meeting as a less formal way for residents to interact with them. He then called for a motion to open the meeting.

Council Member Orr moved to open the Town Hall public meeting, followed by a second from Council Member Hensley. Council Members Strate, Hensley, Porter, and Orr all voted aye in favor of the motion.

Note: Council Member Benard was not present for this vote. He arrived late for the meeting due to traffic.

II. PUBLIC COMMENTS

<u>Diane Woolsey, 638 40th Street, 3999, 3995, and 3985 Orchard</u> – Ms. Woolsey asked what the status of 40th Street was. City Manager Dixon gave a brief update of where the widening project was at. He

explained the project had been delayed because the City had looked into how the street would fit in with existing and proposed transportation routes. He said construction was still scheduled for 2017. The City would be doing some projects along 40th during the upcoming summer to upgrade the infrastructure of the road before it was widened. He said the properties slated for acquisition would be hearing from the City soon. He also said the alignment of the street was mostly on the south side, but some properties on the north would be affected as well. There was more discussion and explanation on the 40th Street Widening Project. Council Member Strate also asked the two members of the planning commission present, Raymond Rounds and Susan Stewart, to stand and introduce themselves.

Anneli Byrd, 675 40th Street – stated her property was one of the homes slated to be taken for the 40th Street Project. They had bought on 40th Street because they could get a bigger house for less money. She was concerned that even if they were compensated fairly, they would not be able to move to an equally nice neighborhood without spending more money. She wondered if there would be any compensation to balance that out. City Manager Dixon stated he did not have an answer; the City would be hiring a property acquisition company who was familiar with the strict rules that governed the purchase of property for the public good. They would be contacting the affected homeowners soon.

Ms. Byrd asked that if there was going to be another delay, the affected homeowners be informed.

Walt Bausman, 5792 S 1075 E - asked what the width of 40th Street would be. Mr. Dixon said after discussion with UTA concerning a dedicated transit lane was held, 3 different widths had been considered: 84 feet, 96 feet, and 106 feet. The City had also asked Zion's Bank to do an economic analysis to determine what width would bring the best economic return to the City. After all was said and done, 84 feet was determined to be the best width, with no dedicated transit lane.

<u>Doug Woolsey, 638 40th Street</u> – stated a traffic study done on Washington Boulevard and 40th Streets showed that 40th had quite a bit more traffic than Washington. If the attendance at Weber State University was going to increase, he wondered if 84 feet was going to be wide enough.

The Council answered that the street would have to be 106 feet in order to add another lane, and everyone had agreed that 84 would be the best.

Ms. Woolsey said she was worried that the remaining houses on 40th would have tiny front yards. Council Member Orr replied that even if the City took another 5 feet and put in trees and a sidewalk, the buffer it created would be better than taking less and having no buffer.

<u>Paula Bosgieter, 5677 Willow Wood Court</u> – asked if the width would allow adequate space for bicycles. City Manager Dixon stated the final design for the street was not completed; the engineer and Council would be working on it during the summer. There was concern as to whether bicycle traffic would be safe on the road with such high traffic counts.

Wes Stewart, 3625 Jefferson – wondered if the traffic studies could be posted online. He also wondered if it mattered what residents thought about the Form Based Code (FBC). If they got hundreds of signatures would it make a difference? Did the Council care what they said? He had read the study by Zion's Bank and would like to see the traffic study on 40th. Mr. Stewart gave some handouts to the Council (see Attachment A). The Council stated the traffic study and design of the street would be posted online. They also stated the width of the street had been determined and would not change, but the design was still being done. Mr. Stewart also asked why the FBC had to come into

the residential neighborhoods so extensively. Assistant to the City Manager Doug Gailey informed those present that a public involvement firm would be hired to get information out to the public as the project moved forward.

Mayor Pro Tem Porter then addressed the FBC. He stated the City had been looking at the FBC for a long time; it would provide more consistency and control with how the area was developed. The City had already responded to comments from residents and removed some of the uses from the FBC. He said the Council was in favor of the FBC and felt it was good for the future of the City. He felt that if residents would study it, they would agree that it was a good thing. It would also require buffers and gradual change to the neighborhoods around it. Council Member Strate said the Council cared and had listened to the comments made; however they did not always agree with what was said.

<u>Cristen Ottley, 3955 Evelyn</u> – asked if the idea was to have soft commercial use between 40th Street and the neighborhoods. The Council said the idea was to have mixed use, both residential and commercial. Ms. Ottley said she did not want commercial development in her neighborhood.

<u>Kirk Ottley</u>, <u>3955 Evelyn</u> – said by allowing commercial development it changed the nature of their neighborhood. He hoped the Council would consider changing some of the components of the FBC.

The Council asked that a handout of the FBC map be given to those present (see Attachment B).

<u>Marilyn DeHart, owner of 551 42nd and 3684 Adams</u> – said she had heard about the meeting from her tenant who had received a flier.

<u>Raymond Rounds, Member of the Planning Commission</u> – explained the process of adoption of the FBC, saying the planning commission had just forwarded it to the Council and they would be considering it at one of their future meetings.

<u>Wesley Stewart, 3625 Jefferson</u> – said the Council, at their last meeting, had motioned that if residents did not come out and were not concerned that they planned on voting on the FBC. He asked that it be left open so concerned residents could come out.

The Council members said they did not motion on anything concerning the FBC, but they were willing to listen and did not have to make a decision immediately. They also said they would work to change some things in the FBC, but also realized that they could not make everyone happy. Mr. Stewart asked if that meant they were moving forward with it regardless if there were 50 or 500 signatures. The Council said something was going to happen. Much work had gone into the FBC, but elements of it could still change. Council Member Strate said general opposition to the FBC did not help him make a decision, but explaining specifically why they were opposed helped him to work to mitigate the issue.

<u>Walt Bausman</u>, <u>5792 S 1075 E</u> – stated they had originally been told that 40th Street would not be part of the FBC, it would just be all of Washington Boulevard. He felt 40th needed a lot more review. Although he lived in the south part of the City, he was still concerned. He suggested a group, consisting of residents, be formed to study it in depth.

The Council said the idea of the FBC was to give the City some continuity and so that new development, when and if it came, would happen the way the City wanted it to.

<u>Cristen Ottley, 3955 Evelyn</u> – said if she moved out, a small shop could move in. Is that what the City

wanted? The Council said it was a valid concern, and theywould look at the issue.

Ms. Ottley stated they deserved to have a neighborhood where their kids could ride their bikes and not have to worry about who was coming in and out of shops in the area. Just because 40^{th} was a busy street did not mean commercial businesses had to come in. The Council agreed that the 40^{th} Street zone as well as the area around Ogden and Adams Avenues still needed to be looked at.

Walt Bausman, 5792 S 1075 E – suggested the City re-look at 40th Street and limit the number of businesses.

<u>Josh Payne, 3796 Porter</u> – said form based codes had started back east and were conducive to city living. He had not moved to South Ogden for city living. He had young children and had moved here for residential living. He was concerned the new zoning would attract traffic through his neighborhood. He was also concerned that developers would purchase lots and sit on them for a long time and not take care of them. It would decrease the value of his home. He agreed that Washington Boulevard needed the Form Based Code, but wondered why it had to come so far into the residential neighborhoods.

<u>Paula Bosgieter, 5677 Willow Wood Court</u> – Ms. Bosgieter said Meadows Park in her neighborhood was terrible; there were no restrooms, no water fountain, and limited equipment. She asked if there was a process for improvement of the park.

The Council said the City had put some money into the park last year, but the park was repeatedly vandalized. They had discussed community policing of the park, but were hesitant to put more money into the park when it kept getting vandalized.

Randy Christiansen, Kiwana Drive – said he perceived a lack of enforcement of the junk and weed ordinance in the area west of his home. People were parking on their lawns and leaving junk. There was one on the west side of Burch Creek Hollow that was a real problem. He had met with the person in charge of enforcement who had said that the Council had only allotted so much money to put towards ordinance enforcement.

The Council said they were very concerned about code enforcement. They received updates weekly concerning it. Council Member Hensley reviewed the process taken when someone was cited for junk or weeds, explaining the City gave a resident time to take care of the problem. However, many times there were extenuating circumstances, such as illness, that prohibited someone from being able to take care of their yard. The Council also agreed that more could be done with code enforcement.

<u>Connie Rogers, 1015 E 5625 S</u> – said she had moved from Ogden City to South Ogden because of an issue with a motor home. Ogden City was only concerned with money, but South Ogden cared about its residents.

<u>Brett Richards</u>, 5268 S 1100 E – expressed thanks for having the town council meeting at the school. He recognized the effort and time spent to be there.

<u>Rebecca Gurney, 6043 Park Vista Drive</u> – said she lived close to the Nature Park and had been working with her neighbors to help maintain a parcel of ground that was an entrance to the park. She said if the City was willing to develop the parcel, she and her neighbors were willing to maintain it. She also noted the round-about to enter her neighborhood needed repair and improvement. She

wondered if the City could improve it as well and then her neighborhood could maintain it. Ms. Gurney then explained that people were using the service entrance to the park that was near her home to bring 4-wheelers into the park; they often drove through her back yard.

The Council told Ms. Gurney she should document when the 4-wheelers were there or call the police department. They also asked Ms. Gurney to get an estimate for what needed to be done on the parcel.

<u>Christopher Gurney, 6043 Park Vista Drive</u> – said they had already put some money into the parcel to retain some of the dirt.

City Manager Dixon reminded the Council they would need to see where funding the landscaping of the parcel fit into their funding priorities for the year.

Brenda Empey, 16 Yale Drive – thanked the Council for the dog park by Club Heights. She also asked if there was a plan for the area after the school was torn down. The Council explained it was the school districts property, and it was possible they could sell it to a developer to build homes on it. City Manager Dixon explained the school district had told him the buildings would be torn down and not left to deteriorate.

Wesley Stewart, 3625 Jefferson — said he had been going around his area talking with residents affected by the FBC. He had only found 2 people who were in favor of it. He had 50 names of people who were against it. He liked the hodge-podge of different homes in his area. He said there was a problem with the rentals in the area being kept up. He pointed out that many of the homes were well kept, but the City itself had a lot of dandelions on its property. There were many properties that had a high property value but were still included in the re-zone. He did not think it was fair. Mr. Stewart said he had recently read an old magazine article that encouraged youth to participate in improving areas, but City employees had been against allowing some youth from helping out in the parks.

Council Member Orr corrected Mr. Stewart by saying the City employees had not been against the youth helping; the concern was that if the weather was bad on the day of service and no one showed up to help, they had truckloads of bark that his employees then needed to take care of.

<u>Christina Bell, 650 Ben Lomond</u> – had been watching city agendas to see when they were going to talk about chickens. She was against allowing chickens in the City. She did not want her neighbors to have chickens either. She was also against allowing bees in the City. She was a realtor and knew that allowing bees and chickens brought property values down.

III. ADJOURN

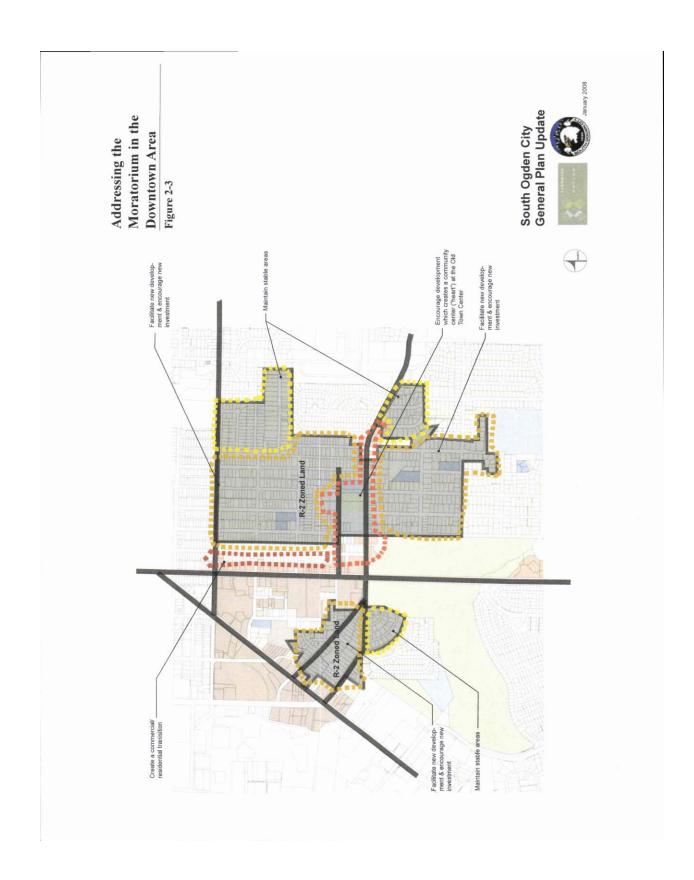
There were no more comments. The Council informed those present that they were available anytime and explained how people could contact them. Mayor Pro Tem Porter then called for a motion to close the meeting.

Council Member Benard moved to adjourn the meeting, followed by a second from Council member Strate. The voice vote was unanimous in favor of the motion.

The meeting concluded at 7:58 pm.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Town Hall Meeting held Tuesday, April 21, 2016.
Alese Rapetanor
Less Kapetanov City Recorder
Date Approved by the City Council June 7, 2016

Attachment AHandouts from Mr. Stewart



"• "Low but tight" character. Buildings should be "low," generally not exceeding two to three stories in height, in order to maintain a pedestrian-friendly scale and to fit in with the existing context. Density can instead be increased by placing buildings close together in "tight" formations. Pedestrian alleyways can be located between buildings to maintain access to other buildings and parking in the rear, further maximizing the limited space available."

The new form based code has drifted away from this along residential lots which are along Ogden Ave. Five stories is much taller than most store heights currently along Washington Blvd and currently proposed along the west side of Ogden Ave.

1. If larger building heights are allowed in our traditional residential neighborhoods, can the maximum height of allowed buildings be adjusted from 5 stories high (as it currently is proposed) to a typical 2 story dwelling which is commonly found in a residential or business park for our area? How would a new 5 story building fit into an older neighborhood and impact the residents surrounding views? Earlier 2008 General Plan said, that redevelopment should be "sensitive" to surrounding residents. What is currently being proposed is not at all sensitive and in conformance with that plan. 70 foot tall commercial buildings (or any wide scale housing or commercial development in the middle of where residents live and have lived for the majority of their lives) – Seriously is this the best our city's staff can come up with for the residents living here? Has mayor considered hiring a second consulting form to give a second more resident friendly opinion of a better suitable design and plan? Or ask us residents how best to help our city. We are a wealth of free knowledge of what works around us and what does not.

"Appendix A: South Ogden Community Survey Summary

(from 2008 General Plan)

Demographics and Concerns

o 73 percent of all respondents are 45 years of age and older; 12 percent are 35-44 years, 13 percent are 25-34 years and only 2 percent fall between 18-24 years of age. Clearly, the survey is heavily skewed to older individuals. Only 36 percent of the population is 45 years or older." So what age group will be forced by the proposed new zoning (Form Based Code) out of their homes along Ogden Avenue and Adams Avenue? It appears to me to be more elderly individuals. These people have been long-time South Ogden residents. This is not what they desire to happen in their residential neighborhoods in their senior years.

"o 99 percent of respondents own a home with only one percent reporting they rent. However, according to the 2000 Census, 77 percent of the population owned their home with the remaining 23 percent of the population renting. It is apparent that the majority of renters who received this survey, did not return it. This suggests that those who rent in South Ogden may lack a sense of investment in the City." Who will primarily be residents of our city in mixed use buildings? I would expect renters who "lack a sense of investment in the city." How will this help our area? It will not.

"Neighborhood Analysis

o Generally speaking, residents in the southeast portion of the City wish there were more

shopping opportunities in their neighborhood. However, residents in the central and northern parts of the City (mean score of 2.8 and 3.1 respectively on a scale of 1 to 5, with 1 meaning *strongly disagree* and 5 meaning *strongly agree*) do not feel as strongly about the need for more shopping opportunities." Pretty much a neutral answer expressed by all (averaging 3), with residents in the South wanting more shopping opportunities slightly. So why not have Form Based Code and have a new development area designated for such in the south part of our city? Do an experiment to see if new/new or old into new works better for the proposed new "form based code"? People living in the South part of our city don't like the way the north part of our city looks, but people in the north part of our city are more content with how our part of the city looks. Why are others trying to change others to match what they want? Can't we all just be tolerant?

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o When asked if there is enough availability of affordable housing in their neighborhood, respondents in the north end of the City are the most likely to feel there is enough affordable housing (mean score of 3.6). Conversely, residents in the southeast portion of the City are the least likely to think there is enough affordable housing in their neighborhoods (mean score of 3.1)." Residents in the north did not say, "Tear down our existing affordable neighborhoods." How is this going to help residents in the south have more affordable housing near them? Why not require Form Based Code everywhere in our small city to plan for future population, if that is the goal?

o Residents in the northeast part of South Ogden have the least sense of community (mean score of 3.1) and those with the most sense of community reside in the central part of the city (mean score of 3.8)." May be due to the fact that there are more rentals where residents move in and move out within a couple of months or years. We also have less sidewalks and more elderly people who can't get out as easily. As younger families move into older homes, the older homes should get upgraded over time as the younger families may be able to afford. Has the city tried to track the efforts in the R-2 zones and when most homes are redone as younger families move into the homes of the former elderly residents? What could be accomplished in R-2 neighborhoods by simply adding sidewalks? Can residents get a schedule of when their streets might get sidewalk upgrades within the next 10 years? If we can't even afford to put in basic sidewalks for residents who have none, remind me again why we are putting in dog parks, recreation facility and football restrooms for residents who could afford to pay for these improvements by donations from within their community? Residents in the south can have all the publicly funded RAMP park improvements; just let us residents in the north keep our homes located in the R-2 zone (without commercial development) and the half of 40th street park that we have left near our neighborhood. Is that too much to ask?

Residents living in their residential zone should have the majority of the say as to whether a commercial business is allowed to move into their residential neighborhood. Their homes are the single biggest investment they have made. Should that business use for whatever reason change over the years or desire usage, residents should once again be notified to give their approval or disapproval of the change in business use in their community. Use matters more than form when it comes down to what is allowed in your neighborhood, if a person cares about their spouse, children, and neighbors (or grandparents, as the case may be, for many). I have no

idea how hard it is to run a city on a limited budget, but maybe less is more, if funds are limited. I believe residents in general prefer less government rather than more outside the basic services of police, fire, and roadway maintenance. Secondary items should not take priority over the basic necessities. Form Based Code is definitely a secondary item. I would rather see city funds go into putting in a few more blocks of sidewalk somewhere than in paying someone to research something that citizens and businesses may not be able to afford where they are being proposed to be mandated as the new code, and residents don't want.

What about existing business owners? After explaining to them what they can no longer do under current zoning, and what they *must* do with new Form Based Code zoning, what percentage of existing businesses want this?

Does the proposed commercial fill-in for the middle of existing residential homes fit in where one could have a five-story, brand-new building constructed next to homes that were constructed between World War I and World War II?

How is this "sensitive" as 2008 General Plan discussed?

1. In the 2008 general plan it proposed that there could be established the following on p. 2-21:

"Neighborhood Mini-Parks. Pocket or mini-parks can be introduced into neighborhoods which do not have nearby park facilities. Ideally, such mini-parks would be located on underutilized properties that are visually prominent and centrally located, such as corner lots where streets intersect." Why has the city not purchased available corner lots in the north part of South Ogden City, and made them into local neighborhood parks? It seems like this would fit into the general plan and improve neighborhoods and may be a necessity if the city is seriously considering allowing 5 story (70 foot high buildings along Ogden Avenue). More local parks would help increase property values in the impoverished areas, plus give children who may end up living in a 5 story building, somewhere where they can safely play near their homes. Maybe this could be a precluding requirement to help ensure there is a green and safe area in the "Form Based Code" street is that there is a property bought up (near the center of the street), that would be available as a "neighborhood mini-park" or the developer would have to purchase a minimum of the same size or park space as the total finish floor area of the proposed building. This may provide an opportunity for city council members to provide/restore park spaces for residents living in the north part of South Ogden City, which were shrunk and never replaced when the city offices were expanded into our city park space and help ensure an ample amount of green and open spaces and not just the potential for a five story high wall to wall commercial unit near one's home.

1. The majority of RAMP funded dollars being proposed are in fact almost exclusively or have been exclusively proposed for areas in the south part of South Ogden City, how is it just that people living in the south part of South Ogden City have 100% of the say as to what is going to happen to residents living in the north who have had little to no RAMP dollars spent on their parks and green spaces (which typically increase property values and make neighborhoods more desirable to live in)? How much more would our property values be increased if more money were spent on beautification for the 40th street park? Please let residents living near the affected areas have say as to what they want most for the area where they live – wouldn't all people desire the same for where they live?

We the owner(s) of real property within the affected area (Map2) are filing our written objection to the inclusion of our property in the proposed zoning map.

Resident's Name	Address	Signature
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Kenny Martinez 3	725 allen Ave.	K Mules
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Brett Bowlen		Satt Boud
Trevor Thomas	3890 Ogden Ave.	In Alba
Arthur Richards	0 1	Contika)
Sharyll Richards	3880 Orden Hue	Shayel Pehast
Robert Hryas	3861 Ogder Ave	the Lypp
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Jul van loon	3170 Ogden Al 845 McFerland S	the Distriction
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William S. Bawoen	1 845 MeForlands	
	P. J. War Aren	to the last

We the owner(s) of real property within the affected area (Map2) are filing our written objection to the inclusion of our property in the proposed zoning map.

Resident's Name	Address	Signature
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Vicki Lainder	3773 Ogdyn Aug V	alkied Linder
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Charles Meder	3615 Adams	May 2 HALL
Samantha Galler	- 3019 Hagans	
Jose gallen	3419 Adam	Jesse Pulls
yo Apachuan	3966 EVELYH RD	Jeal Sachil
Ashlee Shakur	3960 evelyn rd	C/S/ Dee Sherty D
Marshyn Irweger	3950 Evelyn Road	MAKILYN FROERER
James Pellew	3936 Evelyn Pool	
Alexis Shupe	3949 Evelyn Rd	Alexi Auge
Zach williams	3949 EVELM Rd.	Jacan in
Merlin K Ottley	3955 Evelyn ld	Therlat alle
Mary Las Bottom	an 3967 Evelyn	Pd.
S. Henry	- 3969 Evely	~ 800 Co. 1/4
Luisa Rodriguez	3971 Evelyn Rd.	Alor Com
Rogelio Radrigue	= 3971 evelin Rd	Par mus
DOVID TREVINO	3985 ENELYA RA	1
Mitch Bouden Summer Jones.	845 McFarland St	Hoth Bawole
marie Wahlquist	841 McFarlandst	June Tres
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Attachment B FBC Map

3.0 Subdistricts

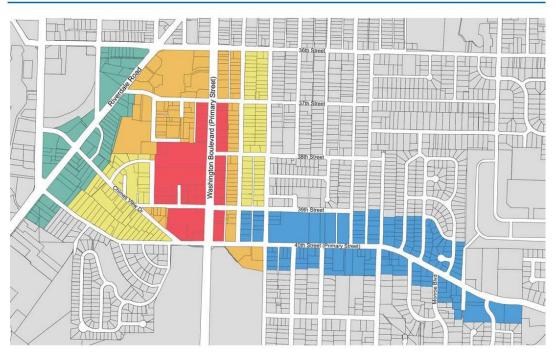


Table 3.2 (1). Zoning Map



18 Draft - January 2016